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The situation in the Central African Republic and activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA)

Report of the Secretary-General

I. Introduction

1. This report is submitted pursuant to the request of the Security Council contained in a statement made by its President on 26 September 2001 (see S/PRST/2001/25) in which the Council requested me to continue to keep it regularly informed of the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) and the situation in that country. The present report covers the activities of BONUCA and new developments in the Central African Republic in the political, security, military, social and economic spheres since my last report dated 14 June 2002 (S/2002/671). The report also reviews recent developments in bilateral relations between the Central African Republic and Chad.

II. Political situation

2. One significant development during the reporting period was the resumption of the trial of the putschists, at the end of which the Criminal Court convicted former President Kolingba and 23 other defendants in absentia in August 2002 and sentenced them to death. The Court also acquitted other Central African nationals, including Jean-Jacques Démafouth, the former Minister of Defence. His acquittal promoted calm and eased some of the tension generated by the attempted coup of 28 May 2001.

3. In the area of political dialogue, the Follow-up Committee to the Meeting of Political Parties and Members of Parliament was established on 8 August 2002 at the urging of BONUCA. This body, which is composed of representatives of the majority and the opposition and is charged with implementing the recommendations of the Meeting of Political Parties and Members of Parliament, holds regular meetings. The antagonism between the ruling party and the opposition has been evident in the Mixed and Independent Electoral Commission (CEMI), whose meetings have been boycotted by the radical wing of the opposition on the grounds that the Government failed to appoint its chosen candidate to the Commission's Bureau. CEMI was established in June 2002 to ensure the proper holding of the

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municipal elections originally scheduled for the end of that year and postponed until 2003 by the Government.

4. Relations between the majority and the opposition also worsened following the attack on Bangui by members of the Bozizé group on 25 October 2002. The authorities accused opposition leaders of colluding with the attackers. The opposition in turn denounced before the National Assembly the atrocities committed by followers of Jean-Pierre Bemba, who had come from the Democratic Republic of the Congo to support the Central African army. The opposition parties called for the Government to resign and for the President of the Republic to appear before the Supreme Court on charges of treason and criminal abuse of office. On 22 November 2002, the deputies of the majority party voted down this proposal and passed a resolution recommending that a dialogue should be opened among all the "active forces of the nation" and that an interim Government should be formed to address the situation resulting from recent events. President Patassé welcomed this recommendation in his address to the nation on 25 November 2002 and announced that a round table of reconciliation would be organized as from December 2002. As a prelude to that forum for dialogue, the Follow-up Committee to the Meeting of Political Parties and Members of Parliament, with support from BONUCA, held a special session of that Meeting in Bangui on 9 and 10 December 2002.

III. Security and military situation

5. The security and military situation has been characterized by great insecurity in the north of the country, where there is an ongoing armed revolt instigated by partisans of François Bozizé, the former Chief of Staff of the Central African armed forces, apparently with the support of Chadian armed groups. The deterioration in the military situation in the north of the Central African Republic along the border with Chad began with incidents that occurred on that border on the night of 5 to 6 August 2002 in which a number of persons were killed. The Central African authorities claim that the Chadian army entered Central African territory, whereas the Government of Chad maintains that mercenaries from the Central African Republic attacked the Chadian border town of Sido.

6. The situation was sufficiently alarming for the Heads of State of the Central African Economic and Monetary Community (CEMAC) and Mali, meeting in Brazzaville on 14 August 2002, to decide to send a commission consisting of their own representatives and representatives of the African Union and BONUCA to the Central African Republic, Chad and Gabon. The commission carried out its work from 23 to 31 August 2002 and submitted its report to President Bongo in his capacity as Coordinator and Chairman of the Ad Hoc Committee of Heads of State of CEMAC for the Resumption of Dialogue in the Central African Republic.

7. On 1 and 2 October 2002 the President of Gabon convened a special summit of the heads of State of CEMAC and Mali in Libreville; the Representative of the Secretary-General in the Central African Republic and the Interim Chairperson of the Commission of the African Union also attended. At that summit, the heads of State decided to send an observation and security force to the Central African Republic with a mandate to:

(a) Ensure the safety of President Patassé;

(b) Observe security on the border between the Central African Republic and Chad; and

(c) Participate in the restructuring of the Central African Republic armed forces.

On 18 October 2002, the Security Council expressed support for that initiative and invited the international community to provide financial, logistical and material support for the deployment of the International Observation Force (see S/PRST/2002/28). The Council reiterated that appeal on 8 and 26 November 2002 (see SC/7566-AFR/511 and SC/7579-AFR/525).

8. A meeting of the chiefs of staff of the armies of the countries concerned, in which the head of the BONUCA military team participated, was held in Libreville from 23 to 25 October 2002 to consider how the decision taken by the CEMAC heads of State might be implemented. The participants took the technical and practical decisions required for deployment of the force. That work was nearing completion when the crisis broke out in Bangui: on 25 October 2002 the towns of Kabo, Batangafo, Bogangolo and Damara and, later, the capital, Bangui, were attacked by Bozizé's forces with support from nationals of other countries. On 31 October 2002 the attackers were repelled by loyalist forces with support from a Libyan contingent and members of Jean-Pierre Bemba's group.

9. The consequences of these clashes have yet to be determined; however, official sources report 105 dead and 329 wounded. On 28 October 2002, I issued a strong condemnation of this attempt to take power by force of arms (see SG/SM/8460-AFR/502), as did the Security Council, which on 8 November 2002 reiterated its support for the Central African authorities and stressed the need for implementation without delay of the steps decided at the Libreville summit (see SC/7566-AFR/511).

10. Implementation of the decisions taken at the Libreville summit resulted in the deportation of François Bozizé to France in mid-October 2002 and of Abdoulaye Miskine to Togo in early November 2002. Deployment of the CEMAC forces was delayed owing to insufficient logistical assistance and funding. An advance contingent arrived in Bangui on 8 November 2002, but troops were not deployed until 4 December 2002. The Gabonese contingent of 227 men has been in Bangui since 8 December 2002.

11. BONUCA has continued to support the security and military aspects of the Government's efforts to ensure peace with its neighbours. Its military advisers have participated in several missions, including the joint Central African Republic-Sudan verification mission to the eastern and north-eastern provinces in June and July 2002, following the clashes in May 2002 between Sudanese farmers and Central African border communities; the fact-finding mission to the Chadian border following the border incidents of 5 and 6 August 2002; and the surveillance and monitoring mission to Bouar in September 2002.

12. The BONUCA military team provided support for the Technical Disarmament Committee's weapons collection efforts and the establishment of local disarmament committees in the provinces. Recent events have obviously led to further proliferation of weapons both in Bangui and in the country's interior. Nevertheless, the disarmament operation launched by BONUCA with help from the United Nations Development Programme and in liaison with the Government will continue.

A lack of funding has made it impossible to implement the defence and security forces restructuring programme developed with the help of BONUCA.

13. The civilian police team participated in the disarmament operation and continued its training programmes for the Central African Republic gendarmerie and police in the areas of investigation, command, professional ethics and ethics of the judicial police.

IV. Economic and social situation

14. The social situation is very tense at present. Public school teachers, who are demanding payment of nine months of salary arrears, have been on strike since September 2002 and plan to remain on strike until 19 January 2003. Consequently, the public schools have not yet opened for the 2002-2003 academic year. On 18 October 2002 the Government agreed to pay teachers one (1) month's salary at the end of that month and two (2) months' salary in November 2002, after the case of the Central African Republic came before the Executive Board of the International Monetary Fund (IMF) on 13 November 2002. The military crisis in late October 2002 and its repercussions have upset these plans.

15. The economy of the Central African Republic continues to suffer the serious consequences of the lack of a cooperation programme with IMF. The Government has instituted austerity measures to keep public expenditure within the limits agreed with the Bretton Woods institutions and has persisted in its efforts to combat corruption. In June and July 2002, the Minister of Finance and other high-level officials were arrested for alleged misappropriation of funds. The framework paper for a cooperation programme with IMF was signed in Washington on 27 September 2002 by the Prime Minister, Martin Ziguélé. The Executive Board of the Fund decided to postpone sine die its review of the Central African Republic, originally scheduled for 13 November 2002, despite the Prime Minister's appeals to the Managing Director of IMF and the President of the World Bank. The country's economic situation could deteriorate further if a programme with IMF is not finalized quickly. In my view, it would be appropriate to encourage the Government in its efforts by finalizing the IMF cooperation programme.

V. Human rights situation

16. Since my last report, the chief developments in the human rights situation have been the verdict in the trial of those charged with instigating the failed coup of 28 May 2001 and the serious human rights violations that occurred following the rebel attack on Bangui on 25 October 2002.

17. On 26 August 2002 the Criminal Court convicted former President Kolingba and 23 Central African officers and non-commissioned officers in absentia and sentenced them to death for the crime of endangering national security. Ten other defendants were sentenced to 20 years' hard labour. Over 500 soldiers were sentenced to 10 years' imprisonment for desertion in time of crisis and flight. On 7 October 2002 the former Minister of Defence, Jean-Jacques Démafouth, was acquitted, as were 50 other individuals, by reason of insufficient evidence of guilt.

18. During the period under review, some cases of extrajudicial execution and disappearances were reported, particularly after the events of 25 October 2002. These violations of the right to life affected primarily innocent civilians, some of whom were also victims of looting committed both by Bozizé's men and by Jean-Pierre Bemba's soldiers. Numerous instances of rape perpetrated by Bemba's men were reported in several districts of Bangui. It has not been officially determined that Bozizé's followers were involved in atrocities, including looting, in Bangui. However, residents of towns occupied by his men were indeed the victims of such acts. BONUCA, in close collaboration with non-governmental organizations, is in the process of tallying the human rights violations committed during the armed conflict at the end of October 2002.

19. The rebuilding of the central prison at Bangui has made it possible to ease overcrowding in gendarmerie posts and police stations. Detention conditions, however, remain a matter of concern, especially in rural areas, where detainees, already exposed to epidemics, suffer from malnutrition and deplorably crowded and unhygienic conditions.

20. As part of its efforts to encourage the building of national capacity for the promotion and protection of human rights, BONUCA conducted a training course on human rights and humanitarian law from 28 June to 13 July 2002 in Bangui and the provinces for members of the Presidential Security Unit and the Central African Armed Forces. From 16 to 27 September 2002, in conjunction with youth organizations, it conducted a massive campaign to raise awareness about human rights in the country's southern and western provinces. Lastly, on 21 and 22 November 2002 it organized a seminar in Bangui to promote awareness of the rights and social and occupational integration of albinos, who constitute a minority that suffers from exclusion.

21. The most obvious result of these efforts is that the authorities will henceforth include training in human rights in the recruitment of new police officers, gendarmes and members of the presidential security forces. At the repeated urging of BONUCA, on 5 July 2002 the Central African Republic ratified the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention) of 18 September 1997 and the African Charter on the Rights and Welfare of the African Child of 11 July 1990.

22. In his press statement of 8 November 2002 (see SC/7566-AFR/511) the President of the Security Council specifically recommended strengthening BONUCA activities in the area of human rights monitoring. Decentralization of the activities of the human rights section will be a priority for BONUCA, which has plans to open a second regional branch for monitoring human rights and investigating violations in 2003.

23. The Office's information unit has done much since June 2002 to disseminate information on human rights. A monthly BONUCA publication devoted to human rights has been created to increase the visibility of the Office's work in that area. The BONUCA information unit conducted an awareness-raising campaign on peace-building from July to September 2002 in the southern and eastern provinces of the country. It also made a film for television on the theme of tolerance in the context of coexistence among Central Africans. In the area of training, the information unit has

continued to provide support for the media through its support for professional journalists' associations.

VI. Relations between the Central African Republic and Chad

24. Relations between the Central African Republic and Chad have severely deteriorated as a result of the events in Bangui of 25 October 2002. The Central African authorities claim to have evidence that Chad was involved in the attack on Bangui. They have shown the international community in the Central African Republic the Chadian prisoners taken at the time of the uprising, the documents confiscated from the attackers and the supplies and equipment recovered after the attack. The Central African authorities have demanded the immediate withdrawal of Chadian troops from their territory.

25. The Chadian nationals who supported François Bozizé's troops could have been recruited either in Chad or in the Central African Republic, which has a large Chadian community, some members of which serve in the Central African armed forces and the Presidential Security Unit. While it is hardly conceivable that forces of the regular Chadian army should have participated in the attack on Bangui, the Government in N'Djaména could not have been unaware of the preparations being made on its borders for a military offensive against towns in the Central African Republic.

26. Chad has rejected the Central African accusations outright. It maintains that the problem in the Central African Republic is an internal one and that the Bangui Government is looking for a scapegoat for the internal crisis the Central African Republic is undergoing. The Government of Chad has accused the Central African authorities of having had 150 Chadian nationals massacred in Bangui. The Central African Government has vigorously denied those allegations. Chad has called for the establishment of an international commission of inquiry. The Central African Republic does not object but is demanding that the inquiry also look into "Chad's aggression against the Central African Republic".

27. The Central African Government proposed that the Central African/Chadian Joint Commission should meet from 23 to 30 November 2002 to consider all aspects of relations between the two countries. However, the Government of Chad did not agree to the proposal, on the grounds that such a meeting could not be contemplated until the process of implementing the decisions taken at Libreville had been completed, and in particular until the CEMAC force had been deployed.

28. Concerned at the high level of tension between Chad and the Central African Republic, the members of the Security Council held two closed meetings on 9 December 2002 to consult with the Prime Minister of the Central African Republic and the Permanent Representative of Chad, respectively, on the dispute between their two countries. The Council members had an opportunity to gauge the level of tension prevailing between the two neighbours and the threat it poses to the stability of Central Africa. In his press statement of 10 December 2002 (see SC/7593-AFR/531), the President of the Council welcomed the commitment of the parties to reactivate the Joint Commission and to establish joint patrols along their common borders and expressed the wish that both parties should seize the opportunity of the CEMAC deployment to normalize their relations as quickly as possible.

29. It is to be hoped that full implementation of the decisions taken at the Libreville summit on 2 October 2002 will help to calm and, ultimately, to normalize

relations between these two neighbouring countries. I have instructed my Representative in Bangui, General Lamine Cissé, to remain available to both Governments in the search for a peaceful solution to this unfortunate crisis.

VII. Observations

30. The current situation in the Central African Republic continues to be a source of concern. The relative stability and gradual easing of tension that had become evident have recently been compromised by the attempted takeover by the partisans of François Bozizé at the end of October 2002. The social peace that had prevailed until then has been disturbed in recent weeks by labour stoppages. The uncertain prospects of an economic and financial agreement with the Bretton Woods institutions serves to undermine an already tenuous social situation even further. The presence of an armed rebellion in the northern part of the country, together with the insecurity and deprivations suffered by the local population and displaced persons, are also major destabilizing factors.

31. Given the threat of instability in the Central African Republic and the subregion, I hereby reiterate to the members of the Council my appeal to all bilateral and multilateral partners to provide the assistance required for the deployment of the CEMAC force in the Central African Republic. It is important that the international community help the Central African Republic ensure its security and territorial integrity. The CEMAC force should help to restore peace and stability in that country and ease tensions with Chad.

32. The lack of a cooperation programme between the Central African Republic and the Bretton Woods institutions severely compromises social peace in the Central African Republic. It is in fact because the State has received no budgetary assistance for nearly two years and because it lacks the resources to meet its payroll that the country's workers have gone on strike after having courageously and responsibly observed a social truce for 18 months. In order to prevent the current social tensions from spinning out of control, I urgently call upon the authorities of IMF and the World Bank to respond positively to the requests of the Central African authorities. I also encourage them to reconsider their suspension of the activities of their offices in Bangui. I welcome the resumption of a constructive dialogue between the Central African authorities and officials of the Bretton Woods institutions. The Government of the Central African Republic has clearly made commendable efforts at economic reform, and these efforts should be supported.

33. I welcome the initiatives of President Patassé regarding the organization in December 2002 of a round table involving all political figures, trade unions and civil society. In taking these steps the President is responding to one of the recommendations made by the members of the Security Council concerning the holding of a national dialogue. My Representative in the Central African Republic, General Lamine Cissé, and BONUCA remain at the Government's disposal to provide all necessary support for the organization and successful outcome of this forum.

34. I once again urge Presidents Patassé and Déby to spare no effort to resume and strengthen constructive cooperation between their countries and to avoid any steps that might help to destabilize them. I encourage them to reactivate all the mechanisms that exist for cooperation between their countries. In this connection, I

should like to pay a well-deserved tribute to the heads of State of CEMAC and Mali and to the Interim Chairperson of the Commission of the African Union for the wise decisions they took at Libreville with a view to consolidating peace in the Central African Republic in particular and in the subregion in general. I should like in particular to congratulate and thank President Bongo, who continues to work unceasingly for peace in the Central African Republic and in Central Africa.

35. Lastly, I should like to pay a well-earned tribute to my Representative, General Lamine Cissé, as well as to the staff of the United Nations system for their demonstrated devotion during this particularly difficult and trying time as they carry out their activities and discharge their functions.